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June 7, 2006

Mr. Philip Allen
Remedial Project Manager
USEPA
1445 Ross Ave.
Suite 1200
Dallas, TX 75202-2733

RE: Summary of RI/FS Approach
Patrick Bayou Superfund Site – Deer Park, TX

Dear Mr. Allen:

Pursuant to your recent discussions with Patrick Bayou Joint Defense Group (JDG) and its representatives, this letter will outline and summarize the approach the JDG will implement during the Remedial Investigation/Feasibility Study (RI/FS) at the Patrick Bayou Superfund Site in Deer Park, TX. In general, the approach will be based on the Adaptive Management Approach as discussed in the EPA document *Contaminated Sediment Remediation Guidance for Hazardous Waste Sites (Dec 2005).* The JDG RI/FS contractor, Anchor Environmental, will utilize this adaptive management approach to the RI/FS process. This will be a "phased" approach whereby work is completed, results are evaluated, the understanding of the site updated, and future work plans are revised if appropriate. This represents a minor variation from the approach outlined in the Statement of Work (SOW) but as we have discussed will provide the most efficient manner to collect and evaluate data with the ultimate goal of implementing an effective remedy.

Remedial Investigation

Initially, a General RI Work Plan will be developed containing the essential sub-plans as required by the Statement Of Work. These plans would, at a minimum, include the following:

1. Project Management Plan
2. Quality Assurance Project Plan
3. Data Management Plan
4. Health and Safety Plan (HASP)
5. Community Relations Plan


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Subsequently, work packages will be prepared detailing specific investigatory or other work to be implemented. The work associated with each of these work packages will be detailed in a Work Plan submitted to EPA for approval and, upon approval, the field

work will be conducted. If required, addenda to the HASP and other global plans will be prepared to account for subjects not covered. During preparation of each work package and after the evaluations of data associated with each work package are completed the JDG will provide interim reports to keep team members apprised of progress.

The primary work packages anticipated for the Patrick Bayou RI are discussed below. Note that certain work packages will also be implemented in a phased approach.

Work Package 1 – Data Quality Assessment, Preliminary Data Quality Objectives, Preliminary Contaminants of Potential Concern, Early Action Evaluation

Work Package 1 will include four major tasks:

1. Validation and verification of the existing environmental data available for the Site is acceptable to support subsequent efforts associated with the RI/FS risk assessment process
2. Development of preliminary data quality objectives (DQOs)
3. Evaluation of existing data to identify preliminary chemical of potential concern (COPCs)
4. Evaluation of the potential for early or interim action to reduce risks, control sources and/or evaluate the performance of a remedial technique

As we discussed, this package will result in submittal of the project database to EPA, which was not included in the Preliminary Site Characterization Report (PSCR). It was not included in the PSCR to allow the validation and verification work described in Work Package 1 to be completed prior to submittal.

Work Package 2 – Phase 1 Hydrology and Source Evaluation

Work Package 2 will include two major tasks:

1. Development of an understanding of the sediment transport mechanisms and the erosion and deposition characteristics of Patrick Bayou. This work will be relatively long-term and will include both collection of field data (e.g. – velocities, suspended solids) and desktop work to ensure sampling, risk evaluation and any remedies account for the hydraulic characteristics of the Bayou system.
2. Implementing a source evaluation that focuses on potential ongoing contaminant contributions from off-site sources upstream of Highway 225 and the East Fork. As we have discussed, an understanding of any upstream sources outside the control of the JDG is crucial prior to consideration of any remedies.

Work Package 3 – Phase 1 Ecological and Human Health Risk Assessment

Due to the limited nature of human interaction with Patrick Bayou, we believe the focus of this task will be the Ecological Risk Assessment (ERA). The scope of the ERA will be

determined though a phased approach as outlined in the EPA's guidance documents. This task will involve collection of physical, biological data and sampling for COPC, and completion of the ERA.

Work Package 4 – Phase 1 Feasibility Study Engineering Data

The evaluation of remedial alternatives requires a variety of geotechnical and other data that are specific to different remedial technologies. During this task, the JDG will collect and evaluate site-specific data to improve its evaluation of remedial technologies during the Feasibility Study (FS).

Feasibility Study

The FS process will then be conducted in a similar manner, with the following major phases:

1. Feasibility Study Work Plan
2. Feasibility Study Data Collection
3. Feasibility Study Data Analysis
4. Feasibility Study Report

Schedule

According to the SOW, the RI/FS Work Plan is due October 1, 2006. At this time, we believe that the implementation of the phased approach will allow us to submit the General RI Work Plan, with Work Packages 1 and 2, by mid-August 2006. In fact, there may be tasks that, due to seasonal variations in weather, we request early approval to allow data collection over an important time of year (i.e. – collection of hydraulic data during high rainfall events). The General RI Work Plan will contain a detailed schedule for the implementation of the initial stages of the work.

The JDG believes that the approach outlined herein will improve the results of the RI/FS process and reduce the overall project timeframe. We appreciate your assistance in this matter. Should you have any questions please feel free to contact me at 281-363-8733.

Sincerely,

s/R Piniewski

Robert Piniewski
Project Coordinator

cc: Maureen Hatfield – TCEQ
Jessica White - NOAA
Patrick Bayou JDG
David Keith - Anchor